

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

B.P.J., by her next friend and mother,
HEATHER JACKSON,

Plaintiff,

vs.

WEST VIRGINIA STATE BOARD OF
EDUCATION; HARRISON COUNTY BOARD
OF EDUCATION; WEST VIRGINIA
SECONDARY SCHOOLS ACTIVITIES
COMMISSION; W. CLAYTON BURCH, in his
official capacity as State Superintendent, DORA
STUTLER, in her official capacity as the
Harrison County Superintendent, and the
STATE OF WEST VIRGINIA,

Defendants,

and

LAINY ARMISTEAD,

Defendant-Intervenor.

Case No. 2:21-cv-00316

Hon. Joseph R. Goodwin

SUPPLEMENTAL DECLARATION OF CHAD T. CARLSON, M.D., FACSM

During my deposition of March 28, 2022, Counsel for B.P.J. and I had the following exchange.

Q: You wrote that (as read): “In fact, biologically male transgender athletes have competed in a wide range of high school, collegiate, and professional girls’ or women’s sports, including, at least, basketball, soccer, volleyball, softball, lacrosse, and even women’s tackle football.”


And my question is, are you aware of any injuries that resulted from the participation of transgender girls and women in those sports?

A: And so my answer would be that's not adequately tracked, and so no, I'm not familiar.

My answer to the question was correct when given. Recently, I have become aware of a situation in which a female high-school volleyball player in Cherokee County, North Carolina, received head and neck injuries from a jump spike delivered by an athlete who identifies as transgender. This incident has received national media attention, and contemporaneous video footage that I find reasonably reliable to depict the jump spike and the description of the injury has been publicly released. I have monitored the news for the past couple of weeks to see if any further reporting or retractions would change the information reported, and I have seen nothing along those lines. So were I asked the same question today that I was asked on March 28, 2022, I would respond that I am familiar with an injury in high-school athletics caused by a volleyball spike to the head, delivered by an athlete who identifies as transgender.

I, Dr. Chad Carlson, pursuant to 28 U.S. Code § 1746, declare under penalty of perjury under the laws of the United States of America that the facts contained in this Supplemental Declaration of Chad T. Carlson, M.D., FACSM are true and correct to the best of my knowledge and belief, and that the opinions expressed therein represent my own expert opinions.

Executed on November 18, 2022.



Chad T. Carlson